

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Daniel Joseph Rice,

File No. 21-cv-2686 (ECT/DTS)

Plaintiff,

v.

ORDER

Barb Pasansen, et al.,

Defendants.

Magistrate Judge David T. Schultz issued a Report and Recommendation on March 22, 2022. ECF No. 11. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 11] is **ACCEPTED**.
2. This action is **DISMISSED** without prejudice under 28 U.S.C. § 1915A(b).
3. Plaintiff Daniel Joseph Rice's application to proceed *in forma pauperis* [ECF No. 2] is **GRANTED**.
4. Rice shall pay the unpaid balance (\$103.88) of the statutory filing fee for this action in the manner prescribed by 28 U.S.C. § 1915(b)(2), and the Clerk of Court shall provide notice of this requirement to the authorities at the institution where Rice is confined.

5. Rice's motions for appointment of counsel [ECF Nos. 3, 6] are **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: April 22, 2022

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court